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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,663	12/20/2000	Luigi Rivoltella	33819B003	4261

441 7590 09/23/2003

SMITH, GAMBRELL & RUSSELL, LLP  
1850 M STREET, N.W., SUITE 800  
WASHINGTON, DC 20036

EXAMINER

ARNOLD III, TROY G

ART UNIT	PAPER NUMBER
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3728

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DATE MAILED: 09/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	Applicant(s)	RIVOLTELLA, LUIGI	
	Art Unit	3728	
	Application No.	09/739,663	
	Examiner	Troy Arnold	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Troy Arnold. (3) Mr Brett Nelson, Attorney for the Applicant.  
 (2) Mr Mike Makuch, Attorney for the Applicant. (4) Mr Tony D'Aversa, Assignee Representative.

Date of Interview: 09 September 2003.

Type: a) ☐ Telephonic b) ☐ Video Conference  
 c) ☒ Personal [copy given to: 1) ☒ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Packaging material construction and use demonstrated.

Claim(s) discussed: 12, 14 and 15.

Identification of prior art discussed: Spiegel et al, US Patent No. 3,764,002.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
 Mickey Yu  
 Supervisory Patent Examiner  
 Group 3700

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: 112-2 rejections were discussed, specifically regarding the "hygienically acceptable" phrase. "Process of making" phrasing in claim 12 versus claims 14 and 15 was also discussed. Regarding the rejections of the claims, the presence of the slit in the tube (forming the opposing flaps) of the instant invention was discussed, and how this feature differentiates over the closed tube of Spiegel. It was submitted by the Applicant's representatives that this feature would not be a desirable modification to Spiegel. Examiner reiterated the need for distinct structural limitations in the claims, that are novel and nonobvious, in order to indicate allowability. A different embodiment was also demonstrated.